

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Corby *et al.*

Appl. No. To be assigned (Continuation of
U.S. Appl. No. 09/168,276; Filed October
8, 1998)

Filed: August 10, 2001

For: **System, Method, and Computer
Program Product for Valuating
Weather-Based Financial
Instruments**

Confirmation No.

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1481.0130001



Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not

be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated

in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C.

§ 120. Thus, copies of these documents are not attached. 37 C.F.R.
§ 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Molly A. McCall
Attorney for Applicants
Registration No. 46,126

Date: August 10, 2001

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Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1481.0130001APPLICATION NO.
To be assignedAPPLICANT
Corby *et al.*FILING DATE
August 10, 2001GROUP
To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	4,040,629	08/1977	Kelly	273	135	
	AB1	6,021,402	02/2000	Takriti	705	412	
	AC1	6,105,000	08/2000	Hickman <i>et al.</i>	705	10	
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

11046 U.S. PTO
09/25/01
08/10/01

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 98/12658	03/1998	PCT	G06F	155/00	Yes No
	AM1	WO 98/22899	05/98	PCT	G06F	17/60	Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Stix, Gary, "A Calculus of Risk," Scientific American, May 1998, pp. 92-97.
	AS	1	Upbin, Bruce, "Betting Against God," Forbes Inc., July 6, 1998, Vol. 162, No. 1, pg. 108(1), 2 pages.
	AT	1	"Origins of Option Pricing Techniques," "The Black and Scholes Model," "The Black and Scholes Model," and "Graphs of the Black and Scholes Model," as printed from http://bradley.bradley.edu/~arr/bsm , April 9, 1997, 8 pages.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Hunter, Robert "Forecast for Weather Derivatives: Hot," Derivatives Strategy, http://www.derivatives.com/magazine/archive/1998/0598feal.asp , May 1998, pp. 1-6.
AS	2	Studwell, Aaron "Weather Derivatives," American Meteorological Society, 11 th Conference on Applied Climatology, January 10-15, 1999, pp. 36-40.
AT	2	Turvay, C G. "Weather derivatives and Specific Event Risk," Paper presented at the 1999 Annual Meeting of the American Agricultural Economics Association, August 8-11, 1999, http://agecon.lib.umn.edu/aaea99/sp99tu02.pdf , pp. 1-11.

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	AA3						
	AB3						
	AC3						
	AD3						
	AE3						
	AF3						
	AG3						
	AH3						
	AI3						
	AJ3						
	AK3						

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	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>3</u>	Banham, Russ "Reinsurers Seek Relief in Computer Predictions," Risk Management, Vol. 40, No. 8, August 1993, pp. 14-16, 18, 19.
AS	<u>3</u>	Malliaris <i>et al.</i> , "Beating the Best: A Neural Network Challenges the Black-Scholes Formula," Proceedings of the Conference on Artificial Intelligence for Applications, March 1-5, 1993, IEEE Comp. Soc., pp. 445-449.
AT	<u>3</u>	Lucchetti, Aaron, "Cold Winter on the Way? Some Bet On It," Wall Street Journal, November 6, 1997, pp. C1-C3.

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	AA4						
	AB4						
	AC4						
	AD4						
	AE4						
	AF4						
	AG4						
	AH4						
	AI4						
	AJ4						
	AK4						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL4						Yes No
	AM4						Yes No
	AN4						Yes No
	AO4						Yes No
	AP4						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>4</u>	Schwartz, Susana "Modeling Tools Aid in Financial Risk Management," Insurance & Technology, Vol. 21, No. 4, April 1996, pp. 20, 21.
AS	<u>4</u>	Gotschall, Mary "New Financial Tools Can Help Protect Utility Revenues From Weather Related Risk," Electric Perspectives, September/October 1998, pp. 30-32, 36, 38, 40, 42-43.
AT	<u>4</u>	Black & Scholes Option Model, Black Scholes Option Pricing Model, as printed from http://www.geocities.com/WallStreet/2529/bsopm.htm , April 10, 1997, 10 pages.

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	AG5						
	AH5						
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	AJ5						
	AK5						

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL5						Yes No
	AM5						Yes No
	AN5						Yes No
	AO5						Yes No
	AP5						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Copy of International Search Report issued April 4, 2000, Application No. PCT/US99/23452, 7 pages.
	AS	<u>5</u>	
	AT	<u>5</u>	

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